

7/8/70

Mr. Richard S. Kleindienst, Deputy Atty. Gen.
U.S. Department of Justice
Washington, D.C. 20530

Dear Mr. Kleindienst,

In writing you June 19, I suggested I could explain something in FBI Exhibit 40 that might be troublesome in the future and might be susceptible of innocent explanation. Thank to the two prints enclosed with your letter of July 6, I believe I can now do this with fair certainty.

Any examination of FBI Exhibit 40, with even the limited magnification permitted by the photocopying process, discloses that the upper left-hand insert of the enlarged hole in the back of the shirt does not coincide with the enlarged hole in the shirt itself. One of the most obvious discrepancies is that the enlargement has damage not present in the original strip of the shirt pattern, whereas in the unenlarged view of the entire back it does. Furthermore, and unreported by the examiner of the technical experts, the FBI, which made the exhibit, should give you an idea of the course of the investigation and the car, with which evidence was prepared and examined.

By comparing the enlargement you were kind enough to send me with the unenlarged shirt picture, I am now doubly confident that the insert was printed upside down, that if it is reversed the holes seem to be identical. Furthermore, the photo you sent me above shows that the insert in FBI Exhibit 40, if you have a duplicate print of that you sent me, you will see it is still labelled upside down. The legend should partly obliterate the legend, and that is the bottom of the picture.

The questions I still have about this evidence are far from answered. However, I do believe that this is a manufactured, if inexplicable, discrepancy. I do not ask you a rhetorical question, but in view of what is at stake to me to expect your answer, for you are now in your present position at the time of trial, after, but not before, you have been the subject of this discrepancy if created by the defense, in open court, before a jury, without any explanation. I offer your reply, I expect no favor of you, but must know this little thing will you of the character and dependability of this evidence and the investigation?

Let me again preface response to the remainder of your letter as to the explanation I have. You have no personal knowledge of that of which you write, that you have to get your information from others. Without any such assurance from you, I believe you accurately reflect what you have been told. As I tried to inform the Attorney General as soon as he took office, on this subject his process of information (disinformation) are inevitably the same as his predecessors had. In preparing you to respond to my questions about the spectrographic analysis they referred you to the less & definitive of the only

undefinitive statements that are available in the Veteran Commission evidence. Then Mr. Frecker testified that the science of spectrography cannot be more than that "the various items I were found to be similar in metallic composition" he was saying exactly what I told you, only that they were all of lead, not a bit more. Spectrography is a very precise science. It gives the finest reading of compositions, including of the added elements. If it shows only similarity it shows the samples are not of common origin. His testimony would support most of the beliefs you made, various plumbing materials, type-lead as a wide assortment of other objects.

If you doubt my word on this, why not get someone to supply you with a definition or description of the science, from almost any standard source, and not through your usual channels, for by now you should be in a position to judge how well you are being informed.

That paragraph dealing with the accounts relating to the Mrs. David Farrie is a rather tricky formulation. Because I intend to carry this forward, as you should know, I cannot respond with the forthrightness and completeness of earlier correspondence offered. However, I will tell you it is not consistent with the reality, of which I have repeatedly written, and you should look forward to finding in court that you do not describe, that your Department does have - and that I will produce, for I do have it, those things do not meet the preferred or my own standards for withholding. Nor is the matter simply one of the Commission asking that your last sentence apply and that, too, has not done. You might want to consider that one obligation for the Commission not then withheld from us, by your Department. Believe me, I do have the proof. Nor am I referring to a single case only. However, I am trying to help you to help yourself, for as I have repeatedly tried to let the government know, my purpose is the pursuit of fact and truth, not scandal. If you doubt me on this, I will prove it to you in the cases involving the possibility of my withholding under either the law or the guidelines, if not my proving both the withholding and the character I attribute to it you will provide me with copies. Again, I am trying to be open with you, so I tell you that when I can I will be filing D-118 forms in both cases. These two instances are not of immediate priority with me, but they surely will illustrate my point, without jeopardy to the witness I plan.

I do accept your suggestion in your final paragraph and, as far as your Department is concerned, will let that matter rest here. However, I tell you candidly that if your punishment procedure, calling it the "miracle", is correct, that is even worse than if it is not. I do believe you are to this in fact, exactly what you were told. I suspect you were to be immediately informed and that you will not be adequately informed because those in your Department who should know the truth dare not tell you. I hesitate to carry this further at this point. However, because I do not desire that you personally be hurt by the fact that you occupy the position you do, I will assure you that Smith has done not account for the lead in the President's hand. My proof is beyond question or refutation, so, I repeat, you will learn in the form in which the government forces us.

For one year we as you will see, always and almost daily I offered to try and to helpful in speaking to him. If this letter does not convince you I am a fool, should it not suggest my motives might be that I recommend him to you?

Very truly,